

COTTONWOOD HEIGHTS

RESOLUTION No. 2012-42

A RESOLUTION APPROVING ENTRY INTO A MEMORANDUM OF UNDERSTANDING WITH SALT LAKE COUNTY FOR EMERGENCY ACCESS TO RADIO CHANNELS

WHEREAS, the Interlocal Cooperation Act, *Utah Code Ann. §11-13-101 et seq.*, provides that any two or more public agencies may enter into agreements with one another for joint or cooperative action following the adoption of an appropriate resolution by the governing body of each participating public agency; and

WHEREAS, the city council (the "*Council*") of the city of Cottonwood Heights (the "*City*") met in regular session on 14 August 2012 to consider, among other things, approving the City's entry into a memorandum of understanding (the "*MOU*") with Salt Lake County (the "*County*") whereby each party would grant the other the right to communicate in emergencies via previously-disclosed radio channels; and

WHEREAS, the Council has reviewed the form of the MOU, a photocopy of which is annexed hereto; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the City's residents to approve the City's entry into the MOU as proposed in order to, *inter alia*, make efficient use of the City's resources;

NOW, THEREFORE, BE IT RESOLVED by the city council of Cottonwood Heights that the attached MOU with the County is hereby approved, and that the City's mayor and recorder are authorized and directed to execute and deliver the MOU on behalf of the City.

This Resolution, assigned no. 2012-42, shall take effect immediately upon passage.

PASSED AND APPROVED this 14th day of August 2012.

COTTONWOOD HEIGHTS CITY COUNCIL



Linda W. Dunlavy
Linda W. Dunlavy, Recorder

By *J. Scott Bracken*
J. Scott Bracken, Mayor Pro Tempore

VOTING:

Kelvyn H. Cullimore, Jr.	<i>Absent</i>
Michael L. Shelton	Yea <u>X</u> Nay <u> </u>
J. Scott Bracken	Yea <u>X</u> Nay <u> </u>
Michael J. Peterson	Yea <u>X</u> Nay <u> </u>
Tee W. Tyler	Yea <u>X</u> Nay <u> </u>

DEPOSITED in the office of the City Recorder this 14th day of August 2012.

RECORDED this 15 day of August 2012.

583027.1

**Memorandum of Understanding
Between Salt Lake County and Cottonwood Heights City**

To enable communication in the event of an emergency, **Salt Lake County and Cottonwood Heights City** (collectively the "Parties") hereby agree to communicate with one another via each party's previously-disclosed radio channels. Each party therefore permits the other to have access to its public works channel.

This agreement shall automatically renew on an annual basis according to the latest of the dates set forth below and shall terminate (with or without cause) immediately upon written notice by one Party to the other.

Both Parties are governmental entities under the Utah Governmental Immunity Act, UTAH CODE ANN. §§ 63G-7-101 to -904 (2012). Consistent with the terms of this act, it is mutually agreed that each Party is responsible and liable for its own wrongful or negligent acts which it commits or which are committed by its agents, officials, or employees. Neither Party waives any defenses otherwise available under the Governmental Immunity Act.

IN WITNESS WHEREOF, the Parties have subscribed their names and the dates as stated below.

APPROVED AS TO FORM
Salt Lake County District Attorney's Office

By: 
Deputy District Attorney

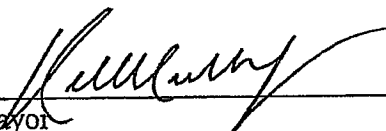
Date: 6 July 2012

SALT LAKE COUNTY

By: _____
Mayor or Designee

Date: _____

COTTONWOOD HEIGHTS CITY

By: 
Mayor

Date: 07-31-2012

ATTEST:

Linda W. Dunlavy, City Recorder

APPROVED AS TO FORM:



Wm. Shane Topham, City Attorney